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January 24, 2025

VIA ECF

The Honorable Jessica G. L. Clarke
United States District Court
Southern District of New York
500 Pearl Street, Room 1040
New York, NY 10007

MEMO ENDORSED

Re: *Lazaar, et al. v. The Anthem Companies, Inc., et al.*
No. 1:22-cv-3075 (JGLC)
Letter-Motion to Seal Exhibits in Support of Plaintiffs' Motion for Rule 23 Class Certification

Dear Judge Clarke:

In accordance with Standing Order 19-MC-583, Section 6 of the S.D.N.Y. Electronic Case Filing Rules and Instructions and Your Honor's Individual Rule 5(e), Plaintiffs Leslie Lazaar and Donna Tropeano-Tirino, by and through their undersigned counsel, file this Letter-Motion to Seal Exhibits in Support of Plaintiffs' Motion for Rule 23 Class Certification.

In support of the Motion, Plaintiffs submit the following:

1. On January 22 and 23, 2025, counsel for Plaintiffs conferred with counsel for Defendants regarding exhibits Plaintiffs intended to file in support of their Motion for Rule 23 Class Certification. Plaintiffs provided specific bates numbers to Defendants of company documents produced by Defendants during discovery that Plaintiffs intended to use in support of their motion for Defendants' consideration as to whether they should be filed under seal;

2. Defendants identified a subset of those documents that they requested be filed under seal;

3. Based on Defendants' request for sealing, Plaintiffs therefore move to seal the following exhibits submitted in support of Plaintiffs' Motion for Rule 23 Class Certification:

- Exhibit 2: Excerpt from AUMSI Staff Listing 1st Qtr. 2022 (Bates labeled ANTHEM_MIDKIFF_00303409 (filed under seal));
- Exhibit 4: New York 2022 Utilization Management Program Evaluation (Bates labeled ANTHEM_LAZAAR_00017257) (filed under seal);
- Exhibit 5: Empire BlueCross Blue Shield Health Plus New York State Utilization Management (UM) Program Evaluation 2022 (Bates labeled ANTHEM_LAZAAR_00577975) (filed under seal);

- Exhibit 9: AUMSI UM Services, Inc. 2024 Utilization Management Program Description (Bates labeled ANTHEM_LAZAAR_00017202) (filed under seal);
- Exhibit 10: AUMSI Utilization Review Process policy (Bates labeled ANTHEM_MIDKIFF_00302192) (filed under seal);
- Exhibit 11: Approval – Initial Inpatient Review Quick Reference Guide (Bates labeled ANTHEM_LEARING_008766) (filed under seal);
- Exhibit 12: Approval – Concurrent Review Quick Reference Guide (Bates labeled ANTHEM_LEARING_008775) (filed under seal);
- Exhibit 13: Medicaid Inpatient Review Desktop Process (Bates labeled ANTHEM_LAZAAR_00011977) (filed under seal);
- Exhibit 14: Clinical Hierarchy for Utilization Management Decisions Operational Guideline (Bates labeled ANTHEM_LAZAAR_00010563) (filed under seal);
- Exhibit 15: Pend to Medical Director – Outpatient Quick Reference Guide (Bates labeled ANTHEM_LEARING_008600) (filed under seal);
- Exhibit 16: Associates Performing Utilization Reviews – Core Process (Bates labeled ANTHEM_CANADAY_00022248) (filed under seal);
- Exhibit 18: Utilization Management Training (Bates labeled ANTHEM_BAKER_00116058) (filed under seal);
- Exhibit 21: Utilization Management Standards and Elements 2020 (Bates labeled ANTHEM_CANADAY_00021369) (filed under seal);
- Exhibit 22: Clinical Criteria for Utilization Management Decisions – Core Process (Bates labeled ANTHEM_CANADAY_00021493) (filed under seal);
- Exhibit 24: Documentation – Clinical Information and Pending for Medical Director Review Quick Reference Guide (Bates labeled ANTHEM_LAZAAR_00006662) (filed under seal);
- Exhibit 25: Documentation – Outpatient RN/LPN Completed DoT Tool Quick Reference Guide (Bates labeled ANTHEM_LEARING_008704) (filed under seal);
- Exhibit 26: CCR Daily Expectations Work Flow – Medicaid Quick Reference Guide (Bates labeled ANTHEM_LEARING_008427) (filed under seal);

- Exhibit 27: Turnaround Time Monitoring, oversight, and Corrective Action Plan Process for Commercial Business (Bates labeled ANTHEM_LAZAAR_00010798) (filed under seal);
 - Exhibit 28: UM Time Study Findings (Bates labeled ANTHEM_BAKER_R_00014843) (filed under seal);
 - Exhibit 29: UM Clinical Audit Tool Reference Guide (Bates labeled ANTHEM_LAZAAR_00006573) (filed under seal);
 - Exhibit 30: GBD ACMP Audit Tool (Bates labeled ANTHEM_LEARING_119627) (filed under seal);
 - Exhibit 31: CSBD UM Audit Tool - ACMP (Bates labeled ANTHEM_LAZAAR_01333206) (filed under seal);
 - Exhibit 32: UM 2C Consistency in Applying Criteria (Bates labeled ANTHEM_BAKER_00000300) (filed under seal);
 - Exhibit 34: IRRA Tip Sheet (Bates labeled ANTHEM_LAZAAR_00007121) (filed under seal);
4. Plaintiffs have notified Defendants that they must file on ECF, within three business days of the filing of this letter-motion, a letter explaining the need to seal these documents.

Dated: January 24, 2025

Application GRANTED. The aforementioned documents shall be temporarily sealed. The Court will determine whether the documents shall remain sealed when deciding the motions on class certification. Parties are directed to brief on sealing in accordance with the Court's Individual Rules. The Clerk of Court is directed to SEAL the aforementioned exhibits of ECF No. 124. Access is restricted to attorneys for the parties and court personnel.

SO ORDERED.



JESSICA G. L. CLARKE
United States District Judge

Dated: January 27, 2025
New York, New York

Respectfully submitted,

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**Admitted pro hac vice*

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